

**State of California
Office of Administrative Law**

In re:
**Commission on Peace Officer Standards and
Training**

Regulatory Action:

Title 11, California Code of Regulations

Adopt sections:

Amend sections: 1005, 1015

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

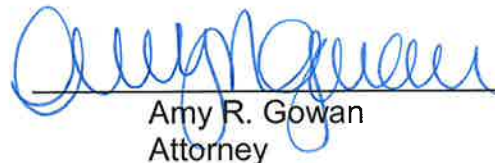
OAL Matter Number: 2018-0703-04

OAL Matter Type: Regular (S)

This regular rulemaking amends two sections and the Post Administrative Manual, incorporated by reference, to revise the training requirements for district attorney investigators or inspectors.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 10/1/2018.

Date: August 15, 2018



Amy R. Gowan
Attorney

**For: Debra M. Cornez
Director**

**Original: Manuel Alvarez, Jr., Executive
Director**

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1005. Minimum Standards for Training (Refer to Regulation 1007 and PAM Section H for ***reserve peace officer*** training standards).

[(a) – Step 4. b. continued]

(2) Every district attorney investigator or inspector (Penal Code section 830.1), regularly employed and paid as such, in addition to the Regular Basic Course training requirement set forth in Regulation 1005(a)(1) shall complete a POST-certified ~~Investigation and Trial Preparation~~ District Attorney Investigator Transition Course, PAM Section D-14, within 12 months from the date of appointment.

[(3) - The document *Work Sample Test Battery Proctor Manual - 2012* adopted effective July 21, 2012, is herein incorporated by reference.]

Note: Authority cited: Sections 832.1, 832.3, 832.6, 13503, 13506, 13510, 13510.3, 13510.5, 13515.26 and 13519.8, Penal Code. Reference: Sections 830.33, 832, 832.1, 832.3, 832.3(f), 832.3(h), 832.6, 13506, 13510, 13510.3, 13510.5, 13511, 13513, 13514, 13515.29, 13515.295, 13516, 13517, 13519.8, 13520 and 13523, Penal Code.

1015. Reimbursements for Training.

[(a) – (d)(1) continued]

(2) Courses with maximum reimbursement limitations

(A) Subsistence, commuter lunch, and travel allowances will not be reimbursed for more than the maximum number of weeks (based on a minimum hourly requirement of 40 hours) authorized for the following courses:

	<i>Weeks/Hours</i>
Regular Basic Course (Standard Format)	16.6 / 664
Regular Basic Course (Modular Format, Intensive Presentation Only)	
Module III	3.2 /128
Module II	4.4 /176
Module I	9 /360

Specialized Investigators' Basic Course	14.8 / 591
Investigation and Trial Preparation Course <u>District Attorney Investigator Transition Course</u>	2.1 / 80 <u>4.0</u>
Coroners' Death Investigation Course	2 / 80
Public Safety Dispatchers' Basic Course	3 / 120
Supervisory Course	2 / 80
Advanced Officer Course	1 / 40
Executive Development Course	2 / 80
Management Course	2.6 / 104
Management, Supervisory, Executive Seminars	1 / 40

[(d)(3) – (j)]

Note: Authority cited: Sections 13503, 13506, 13510 and 13520, Penal Code. Reference: Sections 13510, 13511, 13512, 13518, 13520, 13522, 13523, 13524 and 13525, Penal Code; Section 11489, Health and Safety Code; and Statutes 1997, Chapter 9, Section 2, (Senate Bill 350).

Section D - Training Procedures
Commission Procedure D-14

~~Investigation and Trial Preparation Course~~District Attorney Investigator Transition Course

Purpose

14-1. Specifications for the ~~Investigation and Trial Preparation Course~~District Attorney Investigator Transition Course

This Commission procedures implements that portion of the Minimum Standards for Training established in [Regulation 1005\(a\)](#) for the ~~Investigation and Trial Preparation Course~~District Attorney Investigator Transition Course for district attorney investigators or inspectors.

Training Requirement

14-2.~~Investigation and Trial Preparation Course~~District Attorney Investigator Transition Course Definitions and Requirements

The terms used to describe testing and training requirements are defined in section 14-2(a). Requirements for reporting successful course completion are contained in [Regulation 1055\(g\)](#).

(a) ~~Investigation and Trial Preparation Course~~District Attorney Investigator Transition Course
Terminology

(1) Learning Domain

An instructional unit that covers related subject matter. Training specifications for each learning domain include learning needs, learning objectives, and hourly requirements. Training specifications for a domain also may include learning activities and testing requirements.

(2) Learning Need

A general statement justifying the training for a specific learning domain.

(3) Learning Objective

A word or phrase that succinctly describes subject matter associated with a learning need.

(4) Learning Activity

A learning activity is a facilitated, performance-based component of instruction. Learning activities are student-focused, and require the learner to be actively involved in structured work designed to enhance the acquisition of knowledge, skills, or competencies. The use of learning activities is consistent with principles of adult learning. Learning activities are integrated into the delivery of instruction as a means of reinforcing taught concepts, introducing relevant topics or to enhance student retention necessary to achieve competence as a peace officer. Students participating in a learning activity may be coached or provided feedback, but unlike tests, learning activities are not graded on a pass/fail basis.

(5) Presenter-developed Comprehensive Test

A presenter-developed, ~~paper and pencil~~ test that measures acquisition of knowledge in multiple learning domains.

(b) Single Presenter

Each course presentation shall be completed under the sponsorship of one presenter unless POST has approved a contractual agreement dividing responsibility for delivering the training between multiple training presenters.

(c) Training Presenter Requirements

POST has established minimum, statewide training standards for ~~Investigation and Trial Preparation Course~~ District Attorney Investigator Transition Course. However, local conditions may justify additional training requirements or higher performance standards than those established by POST.

(d) Testing and Training Requirements

(1) Learning Objectives

Presenters shall provide instruction on all learning objectives

specified in Training Specifications for the ~~Investigation and Trial Preparation Course~~ District Attorney Investigator Transition Course.

(2) Hourly Requirements

The minimum number of hours of instruction that shall be delivered for each learning domain is specified in Training Specifications for the

~~Investigation and Trial Preparation Course~~District Attorney Investigator Transition Course.
The total minimum hourly requirement for the ~~Investigation and Trial Preparation Course~~District Attorney Investigator Transition Course is ~~8040~~ hours.

(3) Presenter-developed Comprehensive Test

A presenter-developed comprehensive test [as defined in section 14-2(a)(5)] shall be administered to assess student knowledge of the learning objectives specified in learning domains 70, ~~71, 73-76, 73, 76, 78, 79, 81-85, 81, 84, 86, 88,~~ and ~~8994~~.

(4) Learning Activities

As specified in Training Specifications for the ~~Investigation and Trial Preparation Course~~District Attorney Investigator Transition Course, learning activities are required in some, but not all, learning domains. Where a learning activity is required, each student must participate in that activity. A student, who does not participate in a learning activity when given the opportunity, does not successfully complete the course unless the presenter determines that there were extenuating circumstances. Students who do not participate in a learning activity due to extenuating circumstances shall be given a second opportunity to participate in the same or comparable activity. If a student fails to participate in a learning activity after being given a second opportunity, the student does not successfully complete the course.